



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Logemann et al.

Serial No.: to be assigned, a cpa of  
08/812,025

Examiner: to be assigned (previous  
Examiner R. Prouty)

Filed: herewith

Group Art Unit: to be assigned (previously  
1652)

For: TRANSGENIC PATHOGEN-  
RESISTANT ORGANISM

INFORMATION DISCLOSURE STATEMENT

"Express Mail" Label No. EE 743250565 US  
Date of Deposit: August 26, 1998

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Assistant Commissioner of Patents  
Washington, D.C. 20231

SIR:

In accordance with 37 C.F.R. § 1.56, Applicants respectfully request that the  
references relating to the above-mentioned application listed herein in reverse chronological  
order be made of record in the U.S. Patent and Trademark Office.

Attorney Docket No. 29542 FWC I CPA

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 CFR 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).  
☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
\_\_\_\_\_  
☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

☒ Information Disclosure Statement (IDS) is enclosed.

☒ PTO-1449

☐ Copies of IDS Citations

☒ Letter enclosed.

Small entity status:

- ☐ A small entity statement is enclosed.
- ☐ A small entity statement was filed in the prior nonprovisional application and such status is still and proper desired.
- ☐ is no longer claimed.

The filing fee has been calculated as shown below:

	(Col. 1)		(Col. 2)*				Other Than A
FOR	No. Filed		No. Extra	Small Entity	Fee	OR	Small Entity
				Rate			Rate Fee
Basic Fee					\$395		\$790
Total Claims	2	-20=		x \$11=	\$	x \$22 =	\$
Ind. Claims	2	-3 =		x \$41 =	\$	x \$82 =	\$0
Multiple Dependent Claim				+ \$135 =	\$	+\$270=	\$
				Total	\$		\$790

\* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

Calculation of extension fee (37 CFR 1.17(1)-(5)):

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Logemann et al.

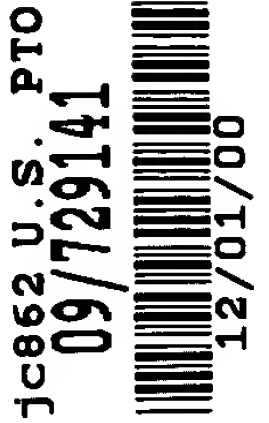
Serial No.: to be assigned, a reissue  
application of U.S. Patent  
No. 5,804,184

Group Art Unit: to be assigned

Filed: herewith

Examiner: to be assigned

For: TRANSGENIC PATHOGEN-  
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Person mailing paper: Leroy Chick

Signature of person mailing paper: \_\_\_\_\_

Assistant Commissioner of Patents  
Washington, D.C. 20231

SIR:

In accordance with 37 C.F.R. § 1.56, Applicants respectfully request that the  
references relating to the above-mentioned application listed herein in reverse chronological  
order be made of record in the U.S. Patent and Trademark Office.

1. EP 9408009, April, 1994
2. Dunsmuir et al., Curr. Pl. Sci. and BioTech. in Agri., vol. 14, Adv. in Mol. Gen. of Plant-Microbe Interactions, Seattle Wash., July 1992, Kluwer Acad. Publ. Netherlands, pp.567-571.
3. Bojsen et al., 1992, Dev. Plant Pathol. 2 (Mech. of Pl. Def. Res.) Symposium held August 24-27, pp. 449.
4. Jach et al., 1992, Bio/Technol. 1:33-40.
5. Logemann et al., 1992, Bio/Technol. 10:305-308.
6. EP 9216632, October, 1992
7. EP 9217591, October, 1992
8. EP 9119738, December, 1991
9. Broglie et al., 1991, Science 254:1194-1197.
10. Neuhaus et al., 1991, Plant Mol. Biol. 16:141-151.
11. United States Patent No. 4,970,168 by Tumer, issued November 1990.
12. DE 4040954, December, 1990
13. Potrykus, 1990, Bio/Technology 8:535-542.
14. EP 8904371, May 1989
15. Lee and Mundy, 1989, Plant Molecular Biol. 12:673-682.
16. DE 3810286. March, 1988
17. Topfer et al., 1987, Nucl. Acids Res. 15:5890.

18. Hahlbrock and Grisebach, 1979, Ann. Rev. Plant. Physiol. 30:105-130.

19. Boller, 1985, Cellular and Molecular Biology of Plant Stress, UCLA Symp.

Mol. Cell. Biol. New Ser. 22:247-262.

The referenced citations are listed in the accompanying PTO Form 1449, and copies of the references were provided in the ultimate parent of the above-identified application, now United States Patent No. 5,689,045. Identification of the above-listed references is not to be construed as an admission of the Applicants or the attorneys of the Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the above-mentioned application.

Please charge our Deposit Account No. 02-4377 if there is any additional fee required. Two copies of this sheet are enclosed.

Respectfully submitted,



Arthur S. Tenser

PTO Reg. No. 18,839

Lisa B. Koler

PTO Reg. No. 35,225

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(212) 408-2500

Form PTO-1449 U.S. Department of Commerce  
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Atty. Docket No.  
29542 FWC I CPA

Serial No.  
to be assigned

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant  
Logemann et al.

Filing Date  
herewith

Group  
to be assigned

JP 862 U.S. PTO  
09/729141  
12/01/00

## U.S. PATENT DOCUMENTS

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
11	4 9 7 0 1 6 8	11/1990	Tumer			

## FOREIGN PATENT DOCUMENT

Document No.	Date	Country	Class	SubClass	Translator Yes No
1 9 4 0 8 0 0 9	4/1994	European			
6 9 2 1 6 6 3 2	10/1992	European			
7 9 2 1 7 5 9 1	10/1992	European			
8 9 1 1 9 7 3 8	12/1991	European			
12 4 0 4 0 9 5 4	12/1990	German			
14 8 9 0 4 3 7 1	5/1989	European			
16 3 8 1 0 2 8 6	3/1988	German			

## OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

2	Dunsmuir et al., Curr. Pl. Sci. and BioTech. in Agri., vol. 14, Adv. in Mol. Gen. of Plant-Microbe Interactions, Seattle Wash., July 1992, Kluwer Acad. Publ. Netherlands, pp.567-571.
3	Bojsen et al., 1992, Dev. Plant Pathol. 2 (Mech. of Pl. Def. Res.) Symposium held August 24-27, pp. 449.

Examiner

Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

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**OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)**

4		Jach et al., 1992, Bio/Technol. <u>1</u> :33-40.
5		Logemann et al., 1992, Bio/Technol. <u>10</u> :305-308.
9		Broglie et al., 1991, Science <u>254</u> :1194-1197.
10		Broglie et al., 1991, Science <u>254</u> :1194-1197.
13		Potrykus, 1990, Bio/Technology <u>8</u> :535-542.
15		Lee and Mundy, 1989, Plant Molecular Biol. <u>12</u> :673-682.
17		Topfer et al., 1987, Nucl. Acids Res. <u>15</u> :5890.
18		Hahlbrock and Grisebach, 1979, Ann. Rev. Plant. Physiol. <u>30</u> :105-130.
19		Boller, 1985, Cellular and Molecular Biology of Plant Stress, UCLA Symp. Mol. Cell. Biol. New Ser. <u>22</u> :247-262.

Examiner

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